EPA United States Environmental Protection Agency

News Releases from Region 01

Maine Blueberry Processor Takes Steps to Better Protect Public Health under EPA Settlement

One of several actions protecting public health in New England

01/19/2017

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BOSTON - The owner of a blueberry processing facility in Hancock, Maine has come into compliance with federal requirements designed to protect the public and first responders from exposure to hazardous chemicals, under the terms of a recent settlement with EPA.

Hancock Foods operates a blueberry processing plant and cold storage warehouse in Hancock, where it uses anhydrous ammonia in its refrigeration systems. The facility first submitted a "Risk Management Plan" (RMP) in March 1999. Such a plan is required for all facilities using certain amounts of extremely hazardous substances, including anhydrous ammonia, in order to help local fire, police, and emergency response personnel prepare for and respond to chemical emergencies. The RMP regulations also require facilities to prevent chemical releases by designing and operating their chemical processes in a safe manner.

"Hancock has worked cooperatively with EPA through this process and has worked hard to correct its violations," said Curt Spalding, regional administrator of EPA's New England office. "These air and reporting laws help protect public health, first responders, and our environment."

In the settlement, Hancock Foods, Inc. agreed to pay $103,613 to settle claims that it violated Section 112(r) of the Clean Air Act in its handling of anhydrous ammonia and $5,110 to settle claims it violated the Comprehensive Environmental Response, Compensation and Liability Act – or Superfund law - when it failed to timely report a release of anhydrous ammonia.

The case stems from a 2012 inspection of Hancock Foods in which EPA inspectors saw potentially dangerous conditions relating to the ammonia refrigeration processes. Further, the company failed to immediately notify the National Response Center upon discovering a release of about 300 pounds of

ammonia from a refrigeration unit on March 27, 2015. EPA responded to the violations at Hancock in two stages – first ensuring that the CAA violations were addressed in an administrative compliance order, then following up with a penalty action.

Anhydrous ammonia is an efficient refrigerant with many environmental benefits, but it must be used with care because it is corrosive to the skin, eyes, and lungs. Ammonia is also flammable under certain conditions. It can explode if released in an enclosed space when there is a source of ignition, or if a vessel holding anhydrous ammonia is exposed to fire. A large ammonia release can spread through the air to impact neighbors.

The Hancock Foods case is one of many that EPA has brought to improve safety at companies that have industrial refrigeration systems. Given the number of dangerous ammonia leaks that have occurred at such facilities, EPA has started a national enforcement and compliance initiative for the next three years to focus more intensely on reducing the risks of chemical releases from various types of facilities that use extremely hazardous chemicals, including those that use anhydrous ammonia as a refrigerant.

Other recent cases involving violation of the Clean Air Act's chemical accident prevention requirements at facilities with ammonia refrigeration systems include:

An April 2016 settlement with **Penobscot McCrum**, a Belfast, Maine potato processing plant, in which the company agreed to pay $60,500 in civil penalties and to spend $83,400 on equipment for emergency responders and on public safety improvements at its facility. Also, the company agreed to contract with responders who had specialized training to safely respond to any future ammonia release, as the City fire department did not have such training.

A settlement with **Garelick Farms** in Lynn, Mass. to resolve many RMP violations. This Dec. 2015 settlement required payment of a civil penalty of $255,000; performance of a third-party audit to confirm that the company's Franklin, Mass. facility is in compliance with RMP requirements; and the performance of three supplemental environmental projects at a cost of approximately $316,000. These projects will (a) minimize the chances of a large ammonia release at the Lynn facility through beyond-compliance upgrades to its ammonia detection and emergency notification system; (b) improve the Lynn Fire Department's ability to respond to hazardous materials incidents through the donation of emergency response equipment and training; and (c) protect Lynn school children by removing unneeded hazardous chemicals from the high school science laboratory, purchasing lab safety equipment, and providing chemical management training for teachers. The company also spent over $2.5 million to address the plant's safety deficiencies after EPA's inspection in Dec. 2012.

A compliance order issued to **Stavis Seafoods, Inc.** of Boston, Mass. on Sept. 19, 2016 pursuant to the Clean Air Act's "General Duty Clause." This seafood processing company had a significant accidental release of ammonia on March 23, 2016, which resulted in the death of an employee and temporarily closed down nearby streets. The order required the company (which had discontinued operations at the location after the accident and removed most of its ammonia) to remove all the ammonia and refrain from adding ammonia back into the refrigeration system until the dangerous conditions identified by EPA have been addressed.

On Sept. 30, 2016, EPA issued an administrative penalty order to **RBF Frozen Desserts** of West Hartford, Conn. for violations of the Clean Air Act's General Duty Clause after finding serious safety deficiencies at its frozen dessert manufacturing facility. The facility was located in the same building as a restaurant and theatre. Among the most serious problems was an ammonia pressure vessel with no functional pressure relief system located under a restaurant. An over-pressurized vessel could

explode during a fire, releasing toxic ammonia vapors into the restaurant and outside the building. Also, ammonia was leaking from equipment during EPA's inspections. A previous compliance order, issued in August 2014 pursuant to the Clean Air Act's imminent and substantial endangerment authority, required the company to remove the ammonia before addressing the safety deficiencies. When the company was unable to comply with the order in a timely fashion, EPA had the ammonia removed using Superfund authority.

More information:

- Clean Air Act chemical accident prevention requirements (www.epa.gov/rmp)
- Preventing ammonia releases from refrigeration systems (www.epa.gov/sites/production/files/2015-05/documents/accident_prevention_ammonia_refrigeration_5-20-15.pdf)
  (75 pp, 2.8 MB, About PDF)
- EPA enforcement alert regarding ammonia refrigeration systems (go.usa.gov/3CWQw)

LAST UPDATED ON JANUARY 19, 2017